

COMMISSION MEETING

7:00 P.M.

AUGUST 17, 2016

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, August 17, 2016, in the City Commission Meeting Room with Mayor Gilligan presiding and Commissioners Geitz, Giefer, Harmon and Mlynar present. Also present were City Manager McAnarney, Assistant City Manager Witt, City Clerk Sull and City Attorney Montgomery.

MAYOR AND CITY COMMISSIONERS REPORTS AND COMMENTS

This is the time for the Mayor and City Commissioners to make comments and reports to the public.

Mayor Gilligan reviewed general information for the months of June and July for the community, including monthly sales tax receipts, CID collections for the Flint Hills Mall, building permits and information.

The following is general information for the month of June for the community:

1- Monthly Local Retail Sales Tax Receipts Update

2015	2016	
\$384,249.13	\$369,596.54	Decrease of \$14,652.59 for the month, and Overall increase of 1.07% from year 2015

2- City Share from County Tax

2015	2016	
\$190,759.65	\$182,284.63	Decrease of \$8,475.02 for the month, and Overall decrease of 0.25% from year 2015

3- Building Permits issued from 6/1/2016 to 6/30/2016 for new construction, remodeling / repairs and demolition.

Total number of building permits issued through Code Services:	47
Total of valuations associated with those building permits:	\$527,222.00
Total number of dollars collected for Building Permit Fees:	\$ 4,352.00

Flint Hills Mall CID for June	\$1,878.75
Year to Date Total	\$1,880.36

The following is general information for the month of July for the community:

1) Monthly Local Retail Sales Tax Receipts Update

2015	2016	
\$375,942.55	\$407,865.20	Increase of \$31,922.71 for the month, and Overall increase of 2.12% from the year 2015

2) City Share from County Tax

2015	2016	
\$186,901.85	\$200,834.58	Increase of \$13,932.73 for the month, and Overall increase of 0.83% from the year 2015.

3) Building Permits issued from 7/1/2016 to 7/31/2016 for new construction, remodeling/repairs and demolitions.

Total number of building permits issued through Code Services: 30
Total of valuations associated with those building permits: \$4,849,210.00
Total number of dollars collected for Building Permit Fees: \$ 14,912.25

Flint Hills Mall CID for July	\$22,352.97
Year to Date Total	\$24,233.33

Consent Agenda

It was moved by Commissioner Geitz, seconded by Commissioner Harmon that the Consent Agenda listed below be ratified as a whole:

- Consider minutes of the Regular Meeting held on August 3, 2016.
- Consider ratification of Payroll Ordinance for period ending August 5, 2016.
- Consider Approval of July Budget.
- Consider Change Order No. 1 for the Warren Way Paving Project No. PV1402.
- Consider Approval of Federal Aviation Administration Equipment Space Lease.

The vote follows: Commissioner Geitz, aye; Commissioner Harmon, aye; Commissioner Giefer aye, Commissioner Mlynar, aye; and Mayor Gilligan, aye.

CITY COMMISSION
(Public Comment)

This is the time for the public to make comments. No comments were made at this time.

BUDGET
(Accept 2017 Budget)
(Public Hearing)

City Manager McAnarney stated this is the final step in adopting the 2017 budget. The City is required by State law to hold a public hearing prior to the adoption of the annual budget. The City is asking for one (1) mil increase. This is mainly for an ambulance and additional Fire/EMS personnel. There will be no increase in Solid Waste or Water Fees. There will be an increase in Wastewater fees mainly to help pay for the new Wastewater plant. General Fund reserve level of 15% is met; Utility Fund reserve level of 20% are met. Will continue to reinvest in the community for items such as streets, sidewalks and quality of life projects. Water main replacement and improvements to the plant. Sewer plant upgrade begins and another sanitary sewer lift station is scheduled to be replaced. Continue to invest in equipment in Solid Waste division. Employees are scheduled to receive a 2.5% MERIT/COLA raise next year. The City is maintaining all existing programs and will continue the 5-year financial planning process and economic developments funds to support 3 local entities.

Mayor Gilligan then declared the public hearing opened. As no one in attendance wished to address the Governing Body, Mayor Gilligan then declared the public hearing closed.

Janet Harrouff, Director of Administrative Services, was recognized and addressed the Governing Body. She reviewed the budget for 2017. She stated the official adopted budget is required by State Law to have a maximum cash carryover of 5% of eligible expenses. Staff added unallocated expenses to the General Fund budget. The amount for the 2017 FY is \$1,672,915.

Following further discussion, Commissioner Giefer made a motion to accept the 2017 Budget. Commissioner Mlynar seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Mlynar, aye; Commissioner Geitz, aye; Mayor Gilligan, aye; and Commissioner Harmon, nay.

HOUSING
(Grant Application for Housing Rehabilitation for CDBG Program)
(Resolution Number 3585)

Jeff Lynch, Community Development Coordinator, was recognized and addressed the Governing Body. He stated this grant application would be to request \$300,000 in grant funding to be matched with a total of \$105,000 in local cash and in-kind contributions to rehabilitate 16 owner-occupied homes in the southwest part of the city over a two-year program period.

Commissioner Geitz made a motion to approve Resolution Number 3585, a resolution authorizing the City to submit a grant application for Housing Rehabilitation to Kansas Department of Commerce Small Cities Community Development Block Grant Program. Commissioner Harmon seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Harmon, aye; Commissioner Giefer, aye; Commissioner Mlynar, aye; and Mayor Gilligan, aye.

HOUSING
(Housing Rehabilitation for CDBG Program)
(Public Hearing)

Jeff Lynch, Community Development Coordinator, was recognized and addressed the Governing Body. He stated a public hearing is required by the CDBG program rules in order to apply for funding.

Mayor Gilligan then declared the public hearing opened.

As no one in attendance wished to address the Governing Body, Mayor Gilligan then declared the public hearing closed.

**BONDS
(Fire Department)
(G.O. Bonds - Purchase Fire Rescue Truck)
(Ordinance Number 16-34)**

AN ORDINANCE OF THE CITY OF EMPORIA, KANSAS, AUTHORIZING THE CITY TO ACQUIRE FIRE FIGHTING EQUIPMENT AND AUTHORIZING THE CITY TO ISSUE GENERAL OBLIGATION BONDS TO PAY COSTS THEREOF, to which the City Clerk assigned Ordinance Number 16-34, was presented to the Governing Body for their consideration.

City Manager McAnarney stated the Commission has previously approved the purchase of a Fire Rescue vehicle the amount of \$442,370.12 from Pierce Manufacturing, Inc. The vehicle was purchased in cooperation with the National Purchasing Partners Government Fire Rescue Group Organization.

Following further discussion, Commissioner Harmon made a motion to approve Ordinance Number 16-34, an ordinance authorizing the City to acquire firefighting equipment and authorizing the City to issue general obligation bonds to pay the costs. Commissioner Mlynar seconded the motion. The vote follows: Commissioner Harmon, aye; Commissioner Mlynar, aye; Commissioner Geitz, aye; Commissioner Giefer, aye; and Mayor Gilligan, aye.

**PLANNING AND DEVELOPMENT
(Application No. 2016-12 - Request of Tracy & Michelle Edwards)
(Annex Property Located at 2200 W. 30th Ave. into City Limits)
(Ordinance Number 16-35)**

AN ORDINANCE EXTENDING THE BOUNDARIES OF THE CITY OF EMPORIA, KANSAS TO INCLUDE CERTAIN DESCRIBED LAND, to which the City Clerk assigned Ordinance Number 16-35, was presented to the Governing Body for their consideration.

Joe Foster, Zoning Enforcement Officer, was recognized and addressed the Governing Body. He stated this is the final step in the request from Tracy and Michelle Edwards to annex 5 acres (M/L) of property into the city limits, located at 2200 W. 30th Avenue in order to connect to city utilities. He stated the County Commission passed their Resolution 13-16 to approve the annexation of the property.

Commissioner Harmon made a motion to approve Ordinance Number 16-35, an ordinance to annex 5.27 acres of property into the city limits, located at 2200 W. 30th Avenue in order to connect to city utilities. Commissioner Giefer seconded the motion. The vote follows: Commissioner Harmon, aye; Commissioner Giefer, aye; Commissioner Geitz, aye; Commissioner Mlynar, aye; and Mayor Gilligan, aye.

CITY CODE
(Amend Section 5-10 Transportation Services Policy)
(Towing)

Jim Witt, Assistant City Manager and Christina Montgomery, City Attorney, were recognized and addressed the Governing Body. They stated revisions have been made to the towing policy as discussed at a previous study session. The revised policy incorporates a two tier rotation list; refined zoning requirements for building and storage yard; not less than \$1,000,000 liability insurance coverage; application process to be on towing list and able to pass background check on all employees; CDL compliant with KCC requirements; Tier 2 must have equipment to handle larger vehicles including semi tractor-trailers. They stated small changes and adjustments to wording were made to add clarity to the new policy. No items were added that require additional steps for the towing community. This policy shall become effective on December 1, 2016 with a six (6) month review period with the towing companies. These changes coincide with state and federal regulations.

Commissioner Mlynar questioned going to a two tier system. She was in agreement with recommendations from city staff for a one tier system.

Commissioner Giefer stated he agreed with Commissioner Mlynar.

Following further discussion, Commissioner Geitz made a motion to approve revisions to City of Emporia Transportation Service Policy. Commissioner Harmon seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Harmon, aye; Mayor Gilligan, aye; Commissioner Giefer, nay; and Commissioner Mlynar, nay.

**CITY COMMISSION
(City Manager's Report)**

This is a verbal report that announces upcoming events, recognizes employees for outstanding contributions and provides the public information that may be of a general interest. The following information was presented at the meeting:

TENTATIVE AGENDA FOR AUGUST 24TH STUDY SESSION

1. Review Request for Change of Downtown Parking Ordinance from 700-800 Block of Merchant.
2. Discuss Possible fundraiser at Soden's Grove.

Joint Luncheon w/Accessibility Advisory Board

EXECUTIVE SESSION

The Executive Session was cancelled.

Commissioner Mlynar then made a motion to adjourn. Commissioner Giefer seconded the motion. The vote follows: Commissioner Mlynar, aye; Commissioner Giefer, aye; Commissioner Geitz, aye; Commissioner Harmon, aye; and Mayor Gilligan, aye.

Robert F. Gilligan, Mayor

ATTEST:

Kerry Sull, City Clerk